UNITED STATES DISTRICT COURT DISTRICT OF MASSACHUSETTS

ERNESTO DARQUEA,

Plaintiff,

Case No. 1:05-10438-MLW

v.

VIISAGE TECHNOLOGY, INC., et al.

Defendants.

NOTICE OF WITHDRAWAL OF APPEARANCE OF THEODORE M. HESS-MAHAN

PLEASE TAKE NOTICE that, pursuant to Local Rule 83.5.3(c), the undersigned counsel hereby withdraws his appearance on behalf of plaintiff in the above-captioned action. Plaintiff will continue to be represented by court-appointed lead counsel. Please remove the above-named attorney from the docket as counsel of record in this action.

Dated: January 5, 2007 Respectfully submitted,

/s/Theodore M. Hess-Mahan

Theodore M. Hess-Mahan, BBO No. 557109 SHAPIRO HABER & URMY LLP 53 State Street Boston, MA 02109 (617) 439-3939

Attorneys for Plaintiff

Certificate of Service

I hereby certify that this document(s) filed through the ECF system will be sent electronically to the registered participants as identified on the Notice of Electronic Filing (NEF) and paper copies will be sent to those indicated as non registered participants on January 5, 2007.

<u>/s/Theodore M. Hess-Mahan</u> Theodore M. Hess-Mahan